

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

SHELDON LOCKETT; MICHELLE) Case No.
DAVIS; and CLYDE DAVIS,) 18-CV-5838-PJW
)
Plaintiffs,)
)
vs.)
)
COUNTY OF LOS ANGELES, a public)
entity; LOS ANGELES COUNTY)
SHERIFF'S DEPARTMENT, a law)
enforcement agency; SHERIFF JIM)
McDONNELL; MIZRAIN ORREGO, a)
Deputy Los Angeles County)
Sheriff; SAMUEL ALDAMA, a)
Deputy Los Angeles County)
Sheriff; and DOES 1 through)
100, inclusive,)
)
Defendants.)
_____)

VIDEOTAPED DEPOSITION OF DEPUTY AUSTREBERTO GONZALEZ
Volume I
Via Videoconference
Tuesday, August 11, 2020

Reported by:
Gideon Choi
CSR No. 13258

***Exhibit 27 -- redacted
Because of size limitations,
submitted in two parts. This
is part 1 of 2***

<p>1 UNITED STATES DISTRICT COURT 2 FOR THE CENTRAL DISTRICT OF CALIFORNIA 3 4 SHELDON LOCKETT; MICHELLE) Case No. DAVIS; and CLYDE DAVIS,) 18-CV-5838-PJW 5) 6 Plaintiffs,) 7 vs.) 8) 9 COUNTY OF LOS ANGELES, a public) entity; LOS ANGELES COUNTY) SHERIFF'S DEPARTMENT, a law) enforcement agency; SHERIFF JIM) McDONNELL; MIZRAIN ORREGO, a) 10 Deputy Los Angeles County) Sheriff; SAMUEL ALDAMA, a) 11 Deputy Los Angeles County) Sheriff; and DOES 1 through) 12 100, inclusive,) 13 Defendants.) 14 15 16 Videotaped deposition of DEPUTY AUSTREBERTO 17 GONZALEZ, Volume I, taken on behalf of 18 Plaintiff, via videoconference, beginning at 19 10:12 a.m. and ending at 6:07 p.m., on Tuesday, 20 August 11, 2020, before Gideon Choi, Certified 21 Shorthand Reporter No. 13258. 22 23 24 25</p>	<p>1 APPEARANCES (Continued...) 2 3 For the Deponent, AUSTREBERTO GONZALEZ: 4 ROMERO LAW APC BY: ALAN J. ROMERO, ESQ. (Appearing via 5 videoconference) 80 South Lake Avenue 6 Suite 880 Pasadena, CA 91101 7 Telephone: (626) 396-9900 E-mail: Ajr@romerolaw.com 8 9 For the Defendant, SAMUEL ALDAMA: 10 SEKI NISHIMURA & WATASE BY: GILBERT NISHIMURA, ESQ. (Appearing via 11 videoconference) BY: ANDREW PONGRACZ, ESQ. (Appearing via 12 videoconference) 600 Wilshire Boulevard 13 Suite 1250 Los Angeles, CA 90017 14 Telephone: (213) 481-2869 E-mail: apongacz@snw-law.com E-mail: gnishimura@snw-law.com 15 16 Also Present: 17 KIM SMITH (Videographer) (appearing via 18 videoconference) RICHARD HSUEH, ESQ. (Appearing via 19 videoconference) MILLICENT ROLON, ESQ. (Appearing via 20 videoconference) DEPUTY ESMERALDA LOPEZ (appearing via 21 videoconference) 22 23 24 25</p>
Page 2	Page 4
<p>1 APPEARANCES 2 3 For the Plaintiff, SHELDON LOCKETT: 4 GLICKMAN & GLICKMAN BY: STEVEN C. GLICKMAN, ESQ. (Appearing via 5 videoconference) 9460 Wilshire Boulevard 6 Suite 830 Los Angeles, CA 90212 7 Telephone: (310) 273-0829 E-mail: Scg@glickman-law.com 8 9 THE SWEENEY FIRM BY: JOHN SWEENEY, ESQ. (Appearing via 10 videoconference) 315 S. Beverly Drive Suite 305 11 Beverly Hills, CA 90212 Telephone: (310) 277-9595 12 E-mail: Jes@thesweeneyfirm.com 13 14 For the Defendant, COUNTY OF LOS ANGELES, LOS ANGELES COUNTY SHERIFF'S DEPARTMENT, and SHERIFF JIM McDONNELL: 15 IVIE, McNEILL & WYATT BY: JACK ALTURA, ESQ. (Appearing via 16 videoconference) BY: RICKEY IVIE, ESQ. (Appearing via 17 videoconference) 444 South Flower Street 18 Suite 1800 Los Angeles, CA 90071 19 Telephone: (213) 489-0023 E-mail: jaltura@imwlaw.com E-mail: RIVIE@IMWLAW.COM 20 21 22 23 24 25 (Continued...)</p>	<p>1 I N D E X 2 3 Witness: DEPUTY AUSTREBERTO GONZALEZ 4 Examinations Page 5 By Mr. Sweeney 10 6 By Mr. Ivie 146 7 8 E X H I B I T S 9 Plaintiff's Description Page 10 Exhibit 105 Copy of 11-page document 12 entitled "Claims for Damages to 11 Person or Property" Exhibit 106 Copy of three-page document 27 12 entitled "M shift In-service, Compton" dated 1/15/2016 13 Exhibit 107 Copy of document entitled 36 "Exhibit A Acknowledgment and 14 Agreement to be Bound" signed by Austreberto Gonzalez 15 Exhibit 108 Copy of document entitled 36 "Exhibit A Acknowledgment and 16 Agreement to be Bound" signed by Alan Romero 17 Exhibit 109 Copy of color photograph 90 18 Exhibit 110 Copy of video clip (Retained by 140 counsel and not attached to the 19 transcript) 20 21 INFORMATION REQUESTED 22 Page Line 23 None. 24 25 (Continued...)</p>
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1 EXAMINATION 10:17:03	1 Exhibit 105, it's the Claim for Damages to Person and 10:24:59
2 BY MR. SWEENEY: 10:17:03	2 Property filed with the County of Los Angeles 10:25:08
3 Q Okay. All right. Good morning, 10:17:05	3 Board of Supervisors on June 23rd, 2003. You've seen 10:25:11
4 Deputy Gonzalez. Would you please state and spell your 10:17:08	4 this document before, haven't you? 10:25:18
5 name for the record? 10:17:12	5 A Yes, sir. 10:25:20
6 A Yes. Good morning. My name is Austreberto 10:17:13	6 Q Okay. And your lawyer filed it for you; is that 10:25:21
7 Gonzalez, A-u-s-t-r-e-b-e-r-t-o; Gonzalez, 10:17:18	7 correct? 10:25:30
8 G-o-n-z-a-l-e-z. 10:17:26	8 A Correct. 10:25:30
9 Q Thank you. 10:17:28	9 Q And did you give him all the facts contained 10:25:31
10 MR. SWEENEY: He's frozen again. Mr. Romero, let's 10:17:31	10 therein to put in that document? 10:25:36
11 see what we can do to unfreeze -- 10:17:34	11 A Yes, I did. 10:25:42
12 MR. ROMERO: Sure. I'm going to rejoin. Bear with 10:17:37	12 Q Were you truthful? 10:25:43
13 me. Ten seconds. 10:17:44	13 A Yes, sir. 10:25:44
14 MR. SWEENEY: Okay. 10:17:45	14 MR. SWEENEY: Okay. So can you take that down, Mr. 10:25:47
15 THE VIDEOGRAPHER: Can we go off the record just for 10:18:03	15 Glickman, please? Thank you. 10:25:51
16 a minute so I can re-place him on the video, please? 10:18:07	16 BY MR. SWEENEY: 10:25:54
17 MR. SWEENEY: Sure. 10:18:10	17 Q I notice there on Page 1 of 10, you say that 10:25:54
18 THE VIDEOGRAPHER: Thank you. This marks the end of 10:18:11	18 you're a former Marine Corps combat veteran; is that 10:26:04
19 Media No. 1. The time is 10:18, and we are off the 10:18:18	19 correct? 10:26:10
20 record. 10:18:21	20 A Correct. 10:26:10
21 (Recess taken from 10:18 a.m. to 10:23 a.m.) 10:23:19	21 Q When did you join the Corps? 10:26:12
22 THE VIDEOGRAPHER: This marks the beginning of 10:23:19	22 A January 1999. 10:26:15
23 Media No. 2. The time is 10:23, and we are on the 10:23:22	23 Q Where did you do your basic training? 10:26:17
24 record. 10:23:25	24 A My basic training was in Camp Pendleton, 10:26:24
25 MR. SWEENEY: Thank you. 10:23:25	25 California. 10:26:28
Page 10	Page 12
1 BY MR. SWEENEY: 10:23:25	1 Q And how long did you serve in the United States 10:26:29
2 Q Deputy Gonzalez, my name is John Sweeney, along 10:23:28	2 Marine Corps? 10:26:34
3 with Steve Glickman, who's also here to represent a 10:23:34	3 A Close to five years. About four years and 10:26:34
4 young man by the name of Sheldon Lockett in a case 10:23:37	4 nine months. 10:26:38
5 against Los Angeles County and Los Angeles County 10:23:41	5 Q And I notice in the claim that you were a 10:26:38
6 Sheriff's Department. 10:23:41	6 decorated combat veteran. Can you elaborate on that, 10:26:45
7 First of all, I just want to say thank you for 10:23:46	7 sir? 10:26:50
8 coming forward. Thank you for what you're doing. I 10:23:50	8 A Well, I have unit awards for good conduct, a 10:26:51
9 grew up in this city, in this county, and I know that 10:23:57	9 good conduct medal, sea service deployment times three, 10:27:01
10 the vast majority of Los Angeles County Sheriff's 10:24:03	10 Iraqi Freedom Operation, Enduring Freedom Operation, and 10:27:13
11 Deputies are good people like yourself, and I applaud 10:24:07	11 Navy unit commendation, among others that we received as 10:27:21
12 you for attempting to right an apparent wrong. 10:24:10	12 a unit. 10:27:25
13 Deputy, let's start with your background. How 10:24:19	13 Q Okay. And were you honorably discharged? 10:27:25
14 long have you been a Deputy Sheriff? 10:24:24	14 A Yes, I was. 10:27:32
15 A I became a Deputy Sheriff in November -- well, 10:24:27	15 Q And what did you do after you were discharged 10:27:33
16 March of 2008. 10:24:30	16 from the Corps? 10:27:39
17 Q 2008? 10:24:32	17 A I worked for a loan mortgage office for a couple 10:27:40
18 A 12 years. 10:24:35	18 of years, and then from there I worked for DirecTV and 10:27:54
19 Q Okay. And what is your date of birth by the 10:24:37	19 that was it. I had those two jobs before I joined the 10:28:02
20 way? 10:24:39	20 Sheriff's Department. 10:28:06
21 A July 29, 1978. 10:24:39	21 Q Okay. How long was it between the time that you 10:28:06
22 Q Okay. And is 2008 when you graduated from the 10:24:43	22 were honorably discharged to the time that you entered 10:28:10
23 academy? 10:24:51	23 the academy? 10:28:14
24 A Yes, sir. 10:24:52	24 A About four years approximately. 10:28:17
25 Q Okay. In looking at what I want to mark as 10:24:52	25 Q Okay. And then in those four years, you 10:28:20
Page 11	Page 13

<p>1 occupied your work time with the jobs you just testified 10:28:25</p> <p>2 about; is that correct? 10:28:28</p> <p>3 A That's correct. 10:28:29</p> <p>4 Q Okay. Now, I noticed in your claim, you also 10:28:30</p> <p>5 say that you are decorated with a Meritorious Conduct 10:28:35</p> <p>6 Silver Medal in 2018 for the Los Angeles Sheriff's 10:28:45</p> <p>7 Department; is that correct? 10:28:52</p> <p>8 A Yes, sir. 10:28:52</p> <p>9 Q Tell us you about that. 10:28:53</p> <p>10 A Well, we received that award when we responded 10:28:57</p> <p>11 to a call that came out responding to a gunshot wound 10:29:04</p> <p>12 victim. As I was leaving the station, the call gets 10:29:07</p> <p>13 upgraded -- or not upgraded, but information gets 10:29:14</p> <p>14 upgraded letting us know that the victim is a 10:29:18</p> <p>15 four-year-old child. 10:29:23</p> <p>16 I rushed to the scene which was in the 10:29:25</p> <p>17 unincorporated area of East Rancho Dominguez. When I 10:29:29</p> <p>18 arrived, a sister unit, two deputies were already on 10:29:33</p> <p>19 scene, and one deputy was speaking to the mother, and 10:29:37</p> <p>20 the other deputy was speaking to a witness. I went to 10:29:41</p> <p>21 check on the victim, who was inside a pickup truck in 10:29:46</p> <p>22 the back seat and, you know, I noticed blood around his 10:29:50</p> <p>23 head. 10:29:57</p> <p>24 And then I saw him breathing which at the 10:29:58</p> <p>25 moment, you know, I figured he's still alive, and I told 10:30:02</p> <p style="text-align: right;">Page 14</p>	<p>1 A Yes. 10:31:42</p> <p>2 Q And you took the oath to uphold the principles 10:31:43</p> <p>3 of the Los Angeles County Sheriff's office, didn't you? 10:31:51</p> <p>4 A Yes, sir. 10:31:54</p> <p>5 Q All right. What was your first assignment after 10:31:55</p> <p>6 you graduated from the academy? 10:31:58</p> <p>7 A After I graduated from the academy, I was 10:31:59</p> <p>8 assigned to Central Civil West Courthouse in the 10:32:03</p> <p>9 Court Services Central Bureau, and I was there for 10:32:09</p> <p>10 approximately until about 2012. And then from there, I 10:32:12</p> <p>11 transferred to Eastlake Court in East Los Angeles where 10:32:20</p> <p>12 I remained until about two-thousand -- well, 2015, 10:32:25</p> <p>13 January of 2015, when I was then -- I went to my patrol 10:32:31</p> <p>14 assignment in Compton. 10:32:38</p> <p>15 Q Did you ever work custody in the jails? 10:32:39</p> <p>16 A No. Lock-up at East L.A. Court. 10:32:42</p> <p>17 Q And the Central West, that's the one on Chateau; 10:32:50</p> <p>18 is that correct? 10:32:55</p> <p>19 A Yes, yes, that was just a civil courthouse. 10:32:55</p> <p>20 Q Right. The big mirrored building -- 10:33:01</p> <p>21 A Yes. 10:33:04</p> <p>22 Q -- correct? 10:33:05</p> <p>23 A Yes. 10:33:05</p> <p>24 Q All right. And so when did you start your 10:33:06</p> <p>25 assignment? What year did you start your assignment in 10:33:09</p> <p style="text-align: right;">Page 16</p>
<p>1 my partner, Sergio Jimenez, that we should rush the 10:30:05</p> <p>2 victim to the hospital because we didn't know how long 10:30:13</p> <p>3 the paramedics would be to arrive on scene. And that's 10:30:19</p> <p>4 what we did. Sergio Jimenez drove the vehicle. I 10:30:25</p> <p>5 grabbed the victim from the back seat, cradled him, and 10:30:29</p> <p>6 with the assistance of our dispatch and our arrow, we 10:30:33</p> <p>7 were able to get the victim to the hospital, you know, 10:30:37</p> <p>8 rather quick. 10:30:42</p> <p>9 Q Thank you, sir, for your service. 10:30:44</p> <p>10 And were you awarded that medal of valor by one 10:30:50</p> <p>11 of your superiors or was it the Sheriff? Who was award 10:30:56</p> <p>12 presented to you by? 10:31:01</p> <p>13 A The Sheriff. 10:31:01</p> <p>14 Q And who was the Sheriff at that time? 10:31:02</p> <p>15 A Sheriff Jim McDonnell at the time. 10:31:06</p> <p>16 Q Okay. All right. Let's talk about your 10:31:08</p> <p>17 assignments when you left the academy. 10:31:15</p> <p>18 You are POST-trained; is that correct? 10:31:17</p> <p>19 A Correct, sir. 10:31:18</p> <p>20 Q And you took courses in ethics in policing and 10:31:19</p> <p>21 all of that at the academy, didn't you? 10:31:26</p> <p>22 A Yes, sir. 10:31:27</p> <p>23 Q All right. And do you take those courses and 10:31:28</p> <p>24 the oath that you took when you became a Deputy Sheriff 10:31:36</p> <p>25 seriously? 10:31:41</p> <p style="text-align: right;">Page 15</p>	<p>1 Compton? 10:33:13</p> <p>2 A January 2015. 10:33:14</p> <p>3 Q Okay. And who was your training deputy, field 10:33:19</p> <p>4 training deputy at that time? 10:33:26</p> <p>5 A I had two. My first training officer was 10:33:29</p> <p>6 Deputy Joseph Figueroa, who I remained with 10:33:36</p> <p>7 approximately four months, and from there -- or from 10:33:40</p> <p>8 him, I had Deputy David Perry, Training Officer David 10:33:48</p> <p>9 Perry for the remaining two months of my training. 10:33:52</p> <p>10 THE VIDEOGRAPHER: Excuse me. This is the 10:33:57</p> <p>11 videographer. The witness keeps freezing. Do you want 10:33:59</p> <p>12 to continue this way or is there -- do you want to try 10:34:02</p> <p>13 to fix the problem? 10:34:05</p> <p>14 MR. SWEENEY: I mean, he's moving now. It's not 10:34:08</p> <p>15 bothering me. I can hear him. 10:34:12</p> <p>16 Mr. Romero, do you think it's okay or what do 10:34:18</p> <p>17 you think? 10:34:25</p> <p>18 MR. ROMERO: I'm not sure what's going on. It's a 10:34:25</p> <p>19 brand new laptop, and I reinstalled Windows freshly a 10:34:27</p> <p>20 week ago, so it may be an issue with the software. I 10:34:29</p> <p>21 think we should probably push through. 10:34:33</p> <p>22 THE VIDEOGRAPHER: It could also just be the Wi-Fi, 10:34:35</p> <p>23 but if you're okay with it, we can continue on. 10:34:38</p> <p>24 MR. ROMERO: The Wi-Fi is working on the other 10:34:41</p> <p>25 devices so we'll do our best here. 10:34:43</p> <p style="text-align: right;">Page 17</p>

1 MR. SWEENEY: Thank you, Mr. Romero. 10:34:48	1 Captain Johnson at Compton station. 10:38:32
2 BY MR. SWEENEY: 10:34:50	2 Q Do you know why he left his position -- 10:38:35
3 Q So how long have you been at this point in time 10:34:51	3 A No. 10:38:41
4 at your assignment in Compton? 10:34:58	4 Q -- as Captain? 10:38:41
5 A To when to what date? 10:35:02	5 A No. 10:38:42
6 Q From the time you started to this date, I 10:35:05	6 Q Okay. In your claim, Deputy Gonzalez, you say 10:38:43
7 understand, is it five and a half years? 10:35:07	7 that Compton or CPT -- "CPT" stands for Compton; 10:38:50
8 A Approximately. 10:35:10	8 correct? 10:38:57
9 Q Okay. And tell me of all of your promotions in 10:35:13	9 A Correct. 10:38:57
10 that five and a half years at the County? 10:35:21	10 Q "Has been permeated by a violent deputy gang 10:38:57
11 A Well, the promotion I had was to training 10:35:28	11 which calls itself The Executioners." How do you know 10:39:02
12 officer and that occurred in -- I believe it was October 10:35:33	12 this gang calls itself The Executioners? 10:39:06
13 of 2019. 10:35:38	13 A Common knowledge at the station. 10:39:10
14 Q You became a training officer? 10:35:40	14 Q Had you heard any of the members of the gang 10:39:14
15 A Correct. 10:35:44	15 referred to themselves as The Executioners? 10:39:17
16 Q Okay. Now, before I go any further, I'll ask 10:35:44	16 A No. 10:39:21
17 you questions about Compton station. You filed this 10:35:55	17 Q So is it pretty well known at the station that 10:39:22
18 claim -- you have a daughter who has some medical 10:36:01	18 The Executioners or this gang of deputies called 10:39:28
19 issues; is that correct? 10:36:11	19 themselves The Executioners? 10:39:32
20 A Correct. 10:36:12	20 MR. IVIE: Objection. This is Rickey Ivie. Excuse 10:39:36
21 Q And without going into the medical issues, did 10:36:13	21 me. Objection. This is Rickey Ivie. It's leading; 10:39:38
22 she need any special care? 10:36:19	22 suggestive. 10:39:39
23 A Yes. Yes, she did. She needed specific, you 10:36:24	23 MR. SWEENEY: You can answer. 10:39:41
24 know, attention -- shots before meals, special meals 10:36:33	24 THE WITNESS: Yes. 10:39:44
25 prepared, blood sugar check seven times, ten times a 10:36:40	25 MR. SWEENEY: Okay. 10:39:47
Page 18	Page 20
1 day, things of that nature. 10:36:46	1 MR. ROMERO: And I'm sorry, Counsel. If I can 10:39:49
2 Q Okay. And your daughter's condition factored 10:36:48	2 interrupt for one moment just to let my client know, 10:39:53
3 into your filing this claim against the 10:36:54	3 sometimes you'll hear some objections. I apologize for 10:39:54
4 County of Los Angeles; is that true? 10:37:00	4 not letting you know ahead of time. Unless I 10:39:57
5 A Yes. 10:37:01	5 specifically instruct you not to answer, please feel 10:40:00
6 Q Okay. We'll talk about that in a second. 10:37:02	6 free to respond to all the questions asked. Is that 10:40:02
7 During your five and a half years at the County, 10:37:11	7 okay? 10:40:05
8 did you feel that you've gotten to know your fellow 10:37:15	8 THE WITNESS: Yes. 10:40:06
9 deputies pretty well? 10:37:18	9 MR. ROMERO: Thank you. 10:40:07
10 A Most of them, most of the station. 10:37:19	10 BY MR. SWEENEY: 10:40:08
11 Q Okay. Is there any deputy that you haven't met 10:37:24	11 Q You termed this Executioner group a "violent 10:40:08
12 that you know of? 10:37:31	12 deputy gang". Why do you say that? 10:40:14
13 A Well, we get new trainees, you know, every 10:37:32	13 A Well, one of their members assaulted another 10:40:15
14 couple of months. You know, I think it would be fair to 10:37:39	14 deputy and, you know, I think that makes them violent. 10:40:23
15 say I don't know them. They're new, you know, 10:37:44	15 MR. IVIE: Objection to the response as 10:40:33
16 additions to the station, but outside of that, I know 10:37:48	16 nonresponsive. Also, no foundation. 10:40:35
17 everybody at the station. 10:37:52	17 BY MR. SWEENEY: 10:40:39
18 Q Okay. When you arrived at the station from your 10:37:55	18 Q Okay. Did you actually see a deputy assault 10:40:39
19 time at East L.A., who was the captain? 10:38:03	19 another deputy? 10:40:43
20 A It was Captain Johnson. 10:38:11	20 A No. 10:40:45
21 Q Okay. Were you ever there when a Captain by the 10:38:15	21 Q Okay. Where did you hear about that? 10:40:45
22 name of Leonard McCray was there? 10:38:19	22 A Deputy Banuelos told me he had been assaulted by 10:40:50
23 A No. 10:38:22	23 Deputy Contreras. 10:40:56
24 Q Do you know who Leonard McCray is? 10:38:24	24 Q I'm sorry. The deputy who was assaulted was 10:40:57
25 A Yes. I believe he was the Captain before 10:38:28	25 named what? 10:41:02
Page 19	Page 21

1 A Thomas Banuelos. 10:41:03	1 MR. IVIE: Objection; lacks foundation; calls for 10:43:58
2 Q Got it. And did he tell you when this assault 10:41:06	2 speculation and conjecture on the part of the witness. 10:44:01
3 occurred? 10:41:09	3 THE WITNESS: Yes, common knowledge at the station is 10:44:03
4 A Yes. 10:41:09	4 that he is an Executioner. 10:44:06
5 Q When was that? 10:41:11	5 MR. SWEENEY: Okay. 10:44:08
6 A It was the first week of February. I can't 10:41:13	6 MR. IVIE: Objection; move to strike the witness's 10:44:10
7 remember the exact date. 10:41:20	7 answer as nonresponsive. 10:44:13
8 Q Of what year? 10:41:23	8 BY MR. SWEENEY: 10:44:15
9 A Of this present year. 10:41:25	9 Q When you say "common knowledge", do you mean 10:44:16
10 Q Okay. In 2020? 10:41:26	10 that everyone knows? 10:44:19
11 A Correct. 10:41:31	11 A At the station, everybody knows that Contreras 10:44:21
12 Q What did Deputy Banuelos say happened? 10:41:31	12 is inked. 10:44:24
13 A He told me that Deputy Contreras had gone up to 10:41:38	13 MR. IVIE: Objection; leading; suggestive. 10:44:27
14 him, and they both went to the back of the parking lot 10:41:43	14 BY MR. SWEENEY: 10:44:29
15 to the Heritage House where Deputy Contreras fought 10:41:48	15 Q When you say "inked", what does that mean? 10:44:29
16 Deputy Banuelos, took him down to the ground, and 10:41:57	16 A That he is part -- 10:44:32
17 continued assaulting him. 10:42:00	17 MR. IVIE: Hold on one second, Counsel. Hold on one 10:44:35
18 Q And did Deputy Banuelos tell you why 10:42:01	18 second. And the response lacks foundation. 10:44:38
19 Deputy Contreras assaulted him? 10:42:09	19 BY MR. SWEENEY: 10:44:42
20 A Yes, he did tell me. 10:42:11	20 Q What did does the word "inked" mean? 10:44:43
21 Q And what did he tell you? 10:42:12	21 A That he is part of The Executioners. 10:44:45
22 A He told me that because Deputy Contreras did not 10:42:14	22 Q Okay. Does it mean that -- what does inked 10:44:48
23 like him because Deputy Banuelos had injured another 10:42:17	23 mean? 10:44:54
24 deputy, Deputy Baray, in a traffic collision. And, 10:42:26	24 A Having the tattoo of The Executioners Compton. 10:44:54
25 also, he didn't like him because Deputy Banuelos wasn't 10:42:30	25 Q Have you ever seen the tattoo of 10:45:03
Page 22	Page 24
1 able to apprehend a suspect with a gun who had ran from 10:42:35	1 The Executioners in your time there at the Compton 10:45:06
2 him and his partner. 10:42:40	2 station? 10:45:10
3 Q You froze. I'm sorry. What with him and his 10:42:41	3 A Yes. 10:45:10
4 partner? 10:42:46	4 Q On how many occasions approximately? 10:45:10
5 A And also because Deputy Banuelos was unable to 10:42:46	5 A About a dozen times. 10:45:16
6 apprehend a suspect that had ran from him and his 10:42:51	6 Q Okay. Let me go back because I forgot to state 10:45:22
7 partner who was carrying a gun. 10:42:55	7 that you are under oath and you have to tell the truth 10:45:29
8 Q Okay. Did Deputy Banuelos tell you that 10:42:57	8 and that I don't want you to guess at anything, but I am 10:45:32
9 Contreras thought that it was an affront to his unit 10:43:03	9 entitled to your best testimony. 10:45:37
10 deputies for not being able to apprehend the suspect? 10:43:08	10 So you said how many times that you've seen this 10:45:38
11 MR. IVIE: Objection; the question is leading and 10:43:14	11 tattoo? 10:45:44
12 suggestive. 10:43:17	12 A On anybody in specific or just like total times 10:45:44
13 THE WITNESS: Can you repeat the question? 10:43:17	13 on deputies? 10:45:51
14 BY MR. SWEENEY: 10:43:19	14 Q Yes. 10:45:52
15 Q Sure. I'm just wondering why Contreras felt 10:43:20	15 A Yes to which part? 10:45:57
16 that, if you know, felt that Banuelos did something 10:43:23	16 Q I'm sorry? 10:46:00
17 wrong by not being able to apprehend the suspect? 10:43:31	17 A Total in all deputies? 10:46:01
18 MR. IVIE: Objection; leading; suggestive; also calls 10:43:35	18 Q Yes, your best estimate, how many times -- 10:46:04
19 for speculation on the part of the witness. 10:43:37	19 A About a dozen times. About, you know, a good 10:46:07
20 BY MR. SWEENEY: 10:43:40	20 dozen times, fifteen times. 10:46:09
21 Q What did he tell you? 10:43:40	21 Q Okay. And tell me every deputy that you've seen 10:46:11
22 A I mean, I wouldn't know, you know, if that 10:43:41	22 this tattoo on? 10:46:17
23 justified such action. 10:43:45	23 A That I remember, Deputy Reza, Deputy -- 10:46:20
24 Q Okay. Is Deputy Contreras a member of 10:43:49	24 Q Hold on one second. Deputy who? 10:46:29
25 The Executioners? 10:43:57	25 A Reza. 10:46:31
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1 Q Spell it, please? 10:46:33	1 BY MR. SWEENEY: 11:00:59
2 A R-e-z-a. 10:46:34	2 Q Now, it says Mr. Saldana is -- works dispatch; 11:00:59
3 Q Okay. 10:46:37	3 is that correct? 11:01:08
4 A Deputy Barajas, B-a-r-a-j-a-s. 10:46:40	4 A Well, I think he worked dispatch that day. I 11:01:08
5 Q Hold on a second. Okay. 10:46:47	5 don't think he was a watch deputy or assigned to 11:01:16
6 A Deputy Ingersoll, I-n-g-e-r-s-o-l-l. 10:46:52	6 dispatch, but a lot of times some deputies from the 11:01:19
7 Q Uh-huh. 10:47:01	7 field, if there is not enough people in dispatch, 11:01:22
8 A Deputy Bautista, B-a-u-s-t-i-s-t-a. 10:47:05	8 they'll pull somebody from the field to fill in in 11:01:25
9 Q Uh-huh. 10:47:14	9 dispatch. 11:01:30
10 A Deputy Sandoval, S-a-n-d-o-v-a-l. 10:47:15	10 Q What is Deputy Saldana's first name? 11:01:30
11 MR. IVIE: Excuse me, Counsel. Can I just ask if the 10:47:34	11 A I don't remember. 11:01:35
12 witness knows what Sandoval's first name is? It's a 10:47:37	12 Q Okay. But his first initial is "O"? 11:01:37
13 common last name so -- 10:47:42	13 A Yes. 11:01:41
14 MR. SWEENEY: Sure. 10:47:44	14 Q Okay. How do you know that he is a member of 11:01:41
15 MR. IVIE: -- there may be more than that one. 10:47:44	15 The Executioners gang? 11:01:45
16 THE WITNESS: Jesus Sandoval. 10:47:50	16 A Well, I've seen the matching tattoo. 11:01:48
17 MR. SWEENEY: Okay. 10:47:53	17 Q Where is the tattoo? 11:01:51
18 THE VIDEOGRAPHER: This is the videographer. Can we 10:47:55	18 MR. IVIE: Objection. Counsel, the question lacks 11:01:54
19 go off the record for one minute, please? 10:47:57	19 foundation. 11:01:57
20 MR. SWEENEY: Sure. 10:48:00	20 MR. SWEENEY: Hold on, Deputy Gonzalez. Mr. Ivie, 11:02:01
21 THE VIDEOGRAPHER: Thank you. 10:48:01	21 why don't we just say, so you don't have to interrupt me 11:02:07
22 This marks the end of Media No. 2. The time is 10:48:04	22 every time, that we have a standing objection that his 11:02:09
23 10:48, and we are off the record. 10:48:08	23 knowledge of who or who is not a gang member lacks 11:02:12
24 (Recess taken from 10:48 a.m. to 10:59 a.m.) 10:59:15	24 foundation? Why don't we agree with that? Want to 11:02:17
25 THE VIDEOGRAPHER: This marks the beginning of 10:59:15	25 stipulate to that? 11:02:24
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1 Media No. 3. The time is 10:59, and we are on the 10:59:18	1 MR. IVIE: I will stipulate to that. 11:02:24
2 record. 10:59:21	2 MR. SWEENEY: Okay. Thank you, Mr. Ivie. 11:02:26
3 BY MR. SWEENEY: 10:59:21	3 BY MR. SWEENEY: 11:02:28
4 Q Okay. Deputy, we had left off with 10:59:22	4 Q So you have seen Deputy Aldama's tattoo; is that 11:02:28
5 Deputy Jesus Sandoval in your naming of the inked 10:59:27	5 correct? 11:02:33
6 members of The Executioners gang. Let me put up -- 10:59:32	6 A Yes. 11:02:33
7 MR. IVIE: Again, Counsel, we object that there's no 10:59:37	7 Q And where have you seen it on his body? 11:02:34
8 foundation that any of these individuals are members of 10:59:40	8 A On his right calf. 11:02:37
9 any gang. 10:59:46	9 Q Okay. Of all the tattoos -- 11:02:40
10 MR. SWEENEY: Okay. Thank you, Mr. Ivie. 10:59:49	10 MR. GLICKMAN: Mr. Sweeney, can I just interrupt for 11:02:43
11 BY MR. SWEENEY: 10:59:52	11 a second? That stipulation -- you were referring to a 11:02:45
12 Q Let's put up you Exhibit 106, the shift 10:59:52	12 stipulation that Mr. Ivie has a running objection; 11:02:49
13 in-service document dated January 15th, 2016. Do you 11:00:00	13 right? 11:02:52
14 see the document, Deputy? 11:00:08	14 MR. SWEENEY: Yes. 11:02:52
15 A Yes, sir. 11:00:12	15 MR. GLICKMAN: You weren't stipulating that there was 11:02:53
16 Q Okay. And can you -- there are some names with 11:00:12	16 no foundation, just that -- 11:02:55
17 circles around the names. Who circled those names? 11:00:28	17 MR. SWEENEY: No, no, no, no. I think I made -- if I 11:03:00
18 A I did. 11:00:32	18 didn't make it clear, thank you for clearing that up. 11:03:01
19 Q Okay. And the first one is O. Saldana; do you 11:00:33	19 I'm laying a foundation as I go along. This is a gang, 11:03:04
20 see that? 11:00:45	20 but his objection is that there is no foundation that 11:03:08
21 A Yes. 11:00:46	21 this is a gang. 11:03:12
22 MR. IVIE: Excuse me, Counsel. Can this be marked or 11:00:47	22 MR. IVIE: There's no foundation that this person, 11:03:14
23 has it already been marked? 11:00:51	23 this deputy, is in a gang. That may be his belief, but 11:03:16
24 MR. SWEENEY: We marked it, Mr. Ivie. It's 106. 11:00:53	24 there's certainly no foundation for that that you've 11:03:23
25 MR. IVIE: 106. Okay. 11:00:57	25 laid at this point. 11:03:26
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1 BY MR. SWEENEY: 11:03:26	1 circled these names, but you just started, it seems to 11:05:55
2 Q Okay. And you said his tattoo is on his right 11:03:28	2 me, at a conclusory point. 11:06:00
3 calf; is that correct? 11:03:33	3 I lost video. 11:06:05
4 A Yes. 11:03:33	4 MR. SWEENEY: Thank you, Mr. Ivie. 11:06:06
5 Q Have you found that all the deputies that you 11:03:35	5 MR. IVIE: I've lost the video. Has anybody else 11:06:08
6 have seen ink on, there's a tattoo in the same spot? 11:03:41	6 lost the video? 11:06:11
7 A Yes. 11:03:47	7 MR. SWEENEY: No. There's a document on the screen, 11:06:13
8 Q Is it substantially similar? 11:03:48	8 Mr. Ivie. 11:06:15
9 A Yes. 11:03:52	9 MR. IVIE: No, I don't see the document. No, that's 11:06:17
10 Q Have you talked to any of the deputies about the 11:03:52	10 what I'm saying. I lost the video. Has anybody else 11:06:20
11 type of group this Executioners is? 11:04:01	11 lost the video? 11:06:23
12 A Of that group? 11:04:04	12 MR. SWEENEY: We all can see it. 11:06:24
13 Q Yes. 11:04:09	13 MR. IVIE: Mine says "Veritext Remote Deposition 11:06:26
14 A No. 11:04:10	14 Solutions". It says "working remotely". That's what 11:06:30
15 MR. IVIE: Lacks foundation and that's leading and 11:04:11	15 mine says. 11:06:33
16 suggestive, Counsel. 11:04:13	16 MR. SWEENEY: I can see it. 11:06:35
17 MR. SWEENEY: You can answer. 11:04:16	17 MR. IVIE: Now I can see it. 11:06:37
18 THE WITNESS: No, not with them. 11:04:18	18 BY MR. SWEENEY: 11:06:39
19 BY MR. SWEENEY: 11:04:21	19 Q Okay. All right. We had left off at 11:06:39
20 Q Okay. Moving on to D. Aviles, that's the next 11:04:21	20 Deputy Aviles. How do you know that he is a member of 11:06:46
21 name you circled, had you seen ink on this deputy? 11:04:30	21 this gang that you termed or called The Executioners? 11:06:51
22 A No. 11:04:37	22 MR. IVIE: So, again, leading; suggestive; no 11:06:57
23 Q Okay. How do you know that he is a member of 11:04:37	23 foundation. 11:06:59
24 The Executioners? 11:04:40	24 THE WITNESS: I circled it because it is common 11:06:59
25 MR. IVIE: Objection. Hold on. Excuse me, Counsel. 11:04:43	25 knowledge that Aviles is part of that group. 11:07:03
Page 30	Page 32
1 Objection. I don't recall any testimony from this 11:04:46	1 BY MR. SWEENEY: 11:07:09
2 witness that any of these people who he circled are, in 11:04:51	2 Q Okay. And then you, on this sheet, 11:07:09
3 his mind, part of The Executioners. If you asked it, I 11:04:57	3 Exhibit 106, you next named Deputy Aldama, comma, S. Is 11:07:15
4 missed it. I don't -- 11:05:02	4 this Samuel Aldama? 11:07:24
5 BY MR. SWEENEY: 11:05:02	5 A Yes. 11:07:26
6 Q Okay. How do you know that Deputy Aviles is a 11:05:06	6 Q Okay. Have you seen a tattoo on 11:07:26
7 member of The Executioners? 11:05:11	7 Deputy Samuel Aldama? 11:07:31
8 MR. IVIE: Again, objection, Counsel. Lacks 11:05:13	8 A Yes. 11:07:32
9 foundation. As far as I recall the record, he never 11:05:15	9 Q Where is that tattoo? 11:07:32
10 said that this deputy was a member or that he had a 11:05:17	10 A On his right calf. 11:07:35
11 belief that this deputy was a member of anything. 11:05:20	11 Q How is it that you were able to view the tattoo 11:07:37
12 MR. GLICKMAN: Well, I think, Mr. Ivie, he said he 11:05:23	12 on his right calf? 11:07:47
13 circled all the names or all the names circled are 11:05:27	13 A At the station in the parking lot, either coming 11:07:49
14 members of The Executioners. 11:05:31	14 to work or leaving work and they're in civilian attire, 11:07:55
15 MR. IVIE: I did not hear that testimony. 11:05:31	15 a lot of times they'll be wearing shorts in the middle 11:08:03
16 MR. NISHIMURA: I did not hear it either. 11:05:34	16 of the winter, you know, and people can see their 11:08:06
17 BY MR. SWEENEY: 11:05:37	17 tattoos. 11:08:10
18 Q All right. All these names that you circled, 11:05:37	18 Q If you know, is the -- if you know the answer to 11:08:13
19 are they members of The Executioners gang? 11:05:40	19 this. I don't want you to speculate. Is it a source of 11:08:18
20 MR. IVIE: I'll object. Again, it's lacking 11:05:42	20 pride around the Compton station to have this tattoo for 11:08:24
21 foundation. 11:05:44	21 those who are tattooed? 11:08:29
22 MR. SWEENEY: You've already objected, Mr. Ivie. 11:05:45	22 MR. IVIE: Objection; leading; suggestive; no 11:08:30
23 Thank you. 11:05:47	23 foundation. 11:08:32
24 MR. IVIE: Well, it's leading and suggestive. You're 11:05:47	24 MR. NISHIMURA: Also, vague and ambiguous. 11:08:34
25 not -- you can ask the witness, it seems to me, why he 11:05:49	25 THE WITNESS: I believe it is based on, like I said 11:08:36
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1 before, it will be 50 degrees outside in the middle of 11:08:40	1 Exhibit 107? 11:11:51
2 winter and you see members of this group wearing shorts. 11:08:45	2 MR. GLICKMAN: You just want the acknowledgment of 11:12:02
3 Everybody else is wearing, you know, pants and layers 11:08:49	3 the protective order; right? 11:12:04
4 of, you know, cold weather gear, and they're walking 11:08:53	4 MR. SWEENEY: Yes. 11:12:06
5 around in shorts so people can see that tattoo. I think 11:08:57	5 MR. GLICKMAN: So we'll have -- 107 will be 11:12:07
6 that's pride. 11:09:01	6 Deputy Gonzalez's acknowledgment, and then 108 we can 11:12:10
7 BY MR. SWEENEY: 11:09:02	7 have as Mr. Romero's acknowledgment. You want me to put 11:12:14
8 Q Thank you. How well do you know 11:09:04	8 those up? 11:12:20
9 Deputy Samuel Aldama? 11:09:12	9 MR. SWEENEY: Yes, please. 11:12:21
10 A I think I know him fairly well. We're not 11:09:13	10 MR. GLICKMAN: Just a second. I have Exhibit 107 now 11:12:25
11 friends. You know, we worked together at the station 11:09:19	11 which is Deputy Gonzalez's signed acknowledgment. 11:12:52
12 for a short number of years. 11:09:23	12 BY MR. SWEENEY: 11:12:56
13 Q Okay. And do you know when he acquired this 11:09:28	13 Q Deputy Gonzalez, you realize that everything 11:12:57
14 tattoo? 11:09:30	14 that you talk about here is confidential and you can't 11:13:00
15 A Approximately after he was involved in a 11:09:31	15 go back out and repeat it; you understand that, don't 11:13:04
16 shooting, him and his partner, Deputy Orrego. 11:09:38	16 you? 11:13:08
17 MR. IVIE: Objection; lacks foundation. 11:09:44	17 A Yes, I do. 11:13:08
18 BY MR. SWEENEY: 11:09:47	18 Q And is that your signature on the document 11:13:09
19 Q How do you know he got that tattoo after that 11:09:49	19 entitled "Acknowledgment and Agreement to be Bound"? 11:13:15
20 shooting? 11:09:52	20 A Yes, that is my signature at the bottom. 11:13:19
21 A It was, you know, common knowledge there was a 11:09:53	21 Q And you went over it with your lawyer this 11:13:21
22 party they had. I don't know if he got the tattoo there 11:09:58	22 morning? 11:13:25
23 or after the party, but I know it was after the 11:10:03	23 A Yes. 11:13:26
24 shooting. It was common knowledge at the station. 11:10:07	24 Q Thank you. 11:13:26
25 Q Okay. Tell me about this party. Do these 11:10:09	25 MR. SWEENEY: And there's another part of the 11:13:29
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1 people who are inked, have you heard that they have 11:10:15	1 exhibit, is there? 11:13:34
2 parties celebrating their induction into this group? 11:10:18	2 MR. GLICKMAN: There's -- we have also one from 11:13:36
3 MR. IVIE: Objection; leading; suggestive. 11:10:23	3 signed by Mr. Romero and so that's on the screen now. 11:13:40
4 THE WITNESS: I don't know if it's inducting these 11:10:24	4 So that's marked as Exhibit 108. It's on the screen 11:14:01
5 members, but I know they do have -- there are parties 11:10:27	5 now. 11:14:05
6 after, you know, after a shooting. They call them 998 11:10:31	6 MR. SWEENEY: Okay. And that is signed, apparently, 11:14:05
7 parties. You know, some people say it's to celebrate 11:10:36	7 by Attorney Alan Romero; is that correct, Mr. Romero? 11:14:10
8 that, you know, the deputy's alive, and others believe 11:10:42	8 MR. ROMERO: Yes. 11:14:16
9 it's, you know, to celebrate that, you know, they're 11:10:45	9 MR. SWEENEY: All right. You can take that down, 11:14:18
10 going to be inking somebody. 11:10:48	10 Mr. Glickman. And let's go back to my questioning of -- 11:14:20
11 BY MR. SWEENEY: 11:10:50	11 you don't need to put the exhibit back up yet. 106, 11:14:24
12 Q What does "998" mean? 11:10:52	12 don't put that back up yet. 11:14:31
13 A It's a deputy-involved shooting. 11:10:54	13 BY MR. SWEENEY: 11:14:33
14 Q Have you ever seen a tattoo with 998 on it? 11:10:56	14 Q Let me ask you, we were talking about 998 11:14:33
15 A No. 11:11:04	15 parties. 11:14:37
16 Q Have you -- in the three -- strike that. 11:11:04	16 MR. IVIE: Objection; that's leading and suggestive, 11:14:41
17 The deputies where you have actually seen the 11:11:14	17 Counsel. 11:14:43
18 tattoo, have you seen any numbers on the stock of the 11:11:17	18 BY MR. SWEENEY: 11:14:43
19 rifle of the tattoo? 11:11:22	19 Q You mentioned that there are parties after a 11:14:46
20 A I don't quite remember having looked at it. I 11:11:24	20 deputy involved in a shooting; is that correct? 11:14:54
21 mean, I haven't seen those tattoos that up close to be 11:11:26	21 A They call them 998 debriefs. 11:14:58
22 able to identify a number. I know that there's the 11:11:29	22 Q 998 debriefs, you said? 11:15:01
23 number "28" that belongs to the station. 11:11:35	23 A Yes. 11:15:05
24 MR. SWEENEY: Okay. Mr. Glickman, can you put up the 11:11:38	24 Q Now, is it a celebratory type of party if 11:15:05
25 confidentiality protective order and can we mark it as 11:11:48	25 someone shoots and kills someone? 11:15:12
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<p>1 MR. IVIE: Objection; leading; suggestive. 11:15:14</p> <p>2 THE WITNESS: Well, you know, I mean, to me, if they 11:15:15</p> <p>3 go to a bar and, you know, they're having drinks, you 11:15:18</p> <p>4 know, it's hard not to call it a party. I know they 11:15:23</p> <p>5 call it a debrief, but that makes it -- I've never been 11:15:27</p> <p>6 to one. I've never been invited to one, but I know they 11:15:33</p> <p>7 take place at, you know, venues -- I mean, not venues, 11:15:38</p> <p>8 but a bar type, places of that nature. 11:15:41</p> <p>9 BY MR. SWEENEY: 11:15:48</p> <p>10 Q Okay. And do you know who organizes these 11:15:48</p> <p>11 parties? 11:15:53</p> <p>12 A No. 11:15:54</p> <p>13 Q Have you ever known a member of The Executioners 11:15:56</p> <p>14 to attend a party in celebration of shooting a citizen? 11:16:07</p> <p>15 A Have I ever heard any of these members say that? 11:16:13</p> <p>16 Q Yes. 11:16:17</p> <p>17 A No. 11:16:19</p> <p>18 Q Okay. Well, how do you know that there are 11:16:19</p> <p>19 parties to celebrate shootings of persons? 11:16:24</p> <p>20 MR. IVIE: Okay. So objection, Counsel. That is not 11:16:32</p> <p>21 the witness's testimony. Leading and suggestive. 11:16:34</p> <p>22 Further, the question's been asked and answered insofar 11:16:38</p> <p>23 as the witness's knowledge -- he says he only has common 11:16:41</p> <p>24 knowledge, whatever that means. 11:16:45</p> <p>25 /// 11:16:46</p> <p style="text-align: right;">Page 38</p>	<p>1 MR. IVIE: Objection; leading; suggestive; no 11:18:29</p> <p>2 foundation. 11:18:31</p> <p>3 THE WITNESS: It is my knowledge that by common 11:18:34</p> <p>4 practice with the group, that if you quote/unquote 11:18:40</p> <p>5 "work", if you're cooking, if you are involved in a 11:18:45</p> <p>6 shooting, I mean, like I said, history will show that 11:18:52</p> <p>7 they get inked. So we call it ink chasers because 11:18:56</p> <p>8 they're out there trying to show the rest of the 11:19:00</p> <p>9 members, the rest of the inked members that, you know, 11:19:04</p> <p>10 they're worthy of that tattoo. 11:19:07</p> <p>11 BY MR. SWEENEY: 11:19:09</p> <p>12 Q Have you heard anyone say or do you have any 11:19:11</p> <p>13 knowledge -- strike that. 11:19:14</p> <p>14 Do you have any knowledge that Deputy Aldama was 11:19:14</p> <p>15 chasing ink when he did his shooting of a citizen? 11:19:21</p> <p>16 MR. IVIE: Objection; leading; suggestive; and no 11:19:26</p> <p>17 foundation. 11:19:28</p> <p>18 MR. SWEENEY: You can answer. 11:19:34</p> <p>19 THE WITNESS: Could you repeat the question? I'm 11:19:35</p> <p>20 sorry. 11:19:36</p> <p>21 BY MR. SWEENEY: 11:19:37</p> <p>22 Q Sure. Do you have any knowledge that 11:19:37</p> <p>23 Deputy Aldama was, as you said, chasing ink when he shot 11:19:40</p> <p>24 a citizen? 11:19:46</p> <p>25 MR. IVIE: Leading; no foundation. 11:19:47</p> <p style="text-align: right;">Page 40</p>
<p>1 BY MR. SWEENEY: 11:16:46</p> <p>2 Q What is your knowledge based on, sir? 11:16:47</p> <p>3 A My knowledge is that after a shooting, there is 11:16:49</p> <p>4 998 debriefs. People get invited, certain people, not 11:16:54</p> <p>5 everybody at the station. They go to a bar, they have 11:17:00</p> <p>6 drinks, they celebrate together, and oftentimes the 11:17:04</p> <p>7 deputy and the partner will get inked afterwards. 11:17:12</p> <p>8 Q Okay. And have you found that these inkings are 11:17:14</p> <p>9 like a reward for doing the shooting? 11:17:21</p> <p>10 MR. IVIE: Objection; leading; suggestive. 11:17:31</p> <p>11 MR. NISHIMURA: Lacks foundation. 11:17:33</p> <p>12 THE WITNESS: Well, I mean, yes. What else can you 11:17:35</p> <p>13 call it? I think it is some type of reward. A lot of 11:17:38</p> <p>14 deputies, we call them prospects because, you know, 11:17:44</p> <p>15 they're hurting and they're want that. They acknowledge 11:17:47</p> <p>16 they're chasing ink which is, you know, that they want 11:17:50</p> <p>17 to get inked. And so call it coincidence. I mean, you 11:17:53</p> <p>18 know, they get inked oftentimes after a shooting. 11:17:59</p> <p>19 BY MR. SWEENEY: 11:18:04</p> <p>20 Q You said or you used the term "chasing ink"; is 11:18:05</p> <p>21 that what you said? 11:18:09</p> <p>22 A Yes. 11:18:09</p> <p>23 Q So with this gang, it's your testimony that 11:18:10</p> <p>24 prospects are encouraged to do shootings or violent acts 11:18:21</p> <p>25 in order to get inked? 11:18:27</p> <p style="text-align: right;">Page 39</p>	<p>1 MR. SWEENEY: Let me finish the question, Mr. Ivie. 11:19:50</p> <p>2 MR. SWEENEY: Did you understand the question, 11:19:55</p> <p>3 Mr. Romero? 11:19:57</p> <p>4 MR. IVIE: Well, I thought you weren't finished. How 11:19:58</p> <p>5 can he answer if you weren't finished? Oh, you made a 11:20:00</p> <p>6 mistake. You were finished. Okay. Go ahead. He can 11:20:04</p> <p>7 answer. 11:20:06</p> <p>8 MR. SWEENEY: Mr. Ivie, do you want to get the judge 11:20:07</p> <p>9 on the line? 11:20:10</p> <p>10 MR. IVIE: If you want to. 11:20:10</p> <p>11 MR. SWEENEY: Because let me just say this, Mr. Ivie. 11:20:11</p> <p>12 MR. IVIE: Yes. 11:20:16</p> <p>13 MR. SWEENEY: You are on the wrong side of history 11:20:16</p> <p>14 here. You lied to us for two years, you and counsel, 11:20:19</p> <p>15 about the existence of this gang, and you still do it. 11:20:23</p> <p>16 You know, I can't believe -- there is a limit to what a 11:20:27</p> <p>17 lawyer should do in representing his client, and you 11:20:32</p> <p>18 guys are far past that limit, what you all have done in 11:20:35</p> <p>19 this case. 11:20:42</p> <p>20 MR. IVIE: So, Counsel, what I don't appreciate is 11:20:42</p> <p>21 you saying I lied to you, which I didn't lie to you 11:20:45</p> <p>22 about anything. There's certainly no need to. So, you 11:20:48</p> <p>23 know, the other thing I don't appreciate is I don't need 11:20:51</p> <p>24 you to lecture to me. What I need you to do is conduct 11:20:55</p> <p>25 a deposition. If you want to call the judge, call the 11:20:59</p> <p style="text-align: right;">Page 41</p>

<p>1 judge. 11:21:01</p> <p>2 MR. SWEENEY: I don't need to call the judge. 11:21:01</p> <p>3 MR. IVIE: What's your question? You were finished 11:21:03</p> <p>4 with your question because you asked the witness to 11:21:07</p> <p>5 answer it. 11:21:10</p> <p>6 MR. SWEENEY: Please, Mr. Ivie. You're looking very 11:21:11</p> <p>7 bad on this. 11:21:13</p> <p>8 MR. IVIE: Okay. Well, Counsel, I think you look 11:21:14</p> <p>9 bad. 11:21:16</p> <p>10 MR. SWEENEY: I knew you were going to pull this. 11:21:16</p> <p>11 You were going to try to disrupt things because that's 11:21:18</p> <p>12 what you do because -- 11:21:21</p> <p>13 MR. IVIE: I'm not the one lecturing you. I'm not 11:21:22</p> <p>14 the one lecturing you. You're taking it upon yourself 11:21:26</p> <p>15 to lecture me. Why don't you just focus on your 11:21:29</p> <p>16 deposition? 11:21:32</p> <p>17 MR. SWEENEY: Why don't you focus on listening to the 11:21:33</p> <p>18 deposition instead of trying to disrupt which is your 11:21:35</p> <p>19 style. All right. Let's move on. 11:21:38</p> <p>20 MR. IVIE: Counsel, the only person that's being 11:21:40</p> <p>21 disruptive is you. You're the one that raised your 11:21:43</p> <p>22 voice and said that you weren't finished with your 11:21:46</p> <p>23 question. 11:21:48</p> <p>24 MR. SWEENEY: No, no, no. You're the one who is 11:21:49</p> <p>25 disrupting things, and anybody with an ounce of sense 11:21:51</p> <p style="text-align: right;">Page 42</p>	<p>1 That wasn't your opinion, that's what you observed; is 11:23:35</p> <p>2 that correct? 11:23:37</p> <p>3 A Yes, I observed -- 11:23:37</p> <p>4 MR. IVIE: Objection; calling for a conclusion on the 11:23:40</p> <p>5 part of the witness. 11:23:48</p> <p>6 BY MR. SWEENEY: 11:23:51</p> <p>7 Q You can answer, Deputy. 11:23:51</p> <p>8 A What was the question? I'm sorry. 11:23:54</p> <p>9 Q Yeah. What you saw Deputy Aldama and Orrego 11:23:56</p> <p>10 doing led you to believe that they were chasing ink; is 11:24:03</p> <p>11 that correct? 11:24:08</p> <p>12 A Yes. 11:24:08</p> <p>13 Q In what year was that that we're talking about 11:24:09</p> <p>14 where they were chasing ink? 11:24:14</p> <p>15 A It was around the end of 2015, beginning of 11:24:16</p> <p>16 2016. 11:24:22</p> <p>17 Q I'm sorry. 2015 and '16, is that what you said? 11:24:22</p> <p>18 A Approximately. They got off training two months 11:24:29</p> <p>19 before I did. I got off training around the end of July 11:24:34</p> <p>20 or mid-July, and they -- I believe they both got off 11:24:38</p> <p>21 training at the same time which was a couple of months 11:24:43</p> <p>22 before I did. 11:24:46</p> <p>23 Q Okay. And were they chasing ink from 2015 into 11:24:47</p> <p>24 2016 and into 2017? 11:24:52</p> <p>25 MR. IVIE: Objection; no foundation. 11:24:56</p> <p style="text-align: right;">Page 44</p>
<p>1 can see that. 11:21:55</p> <p>2 MR. IVIE: Okay, Counsel. 11:21:55</p> <p>3 BY MR. SWEENEY: 11:21:58</p> <p>4 Q All right. So do you have any knowledge, 11:21:59</p> <p>5 Deputy Gonzalez, that Deputy Aldama was chasing ink when 11:22:09</p> <p>6 he shot the citizen that he shot? 11:22:17</p> <p>7 MR. IVIE: Okay. Leading and suggestive. 11:22:20</p> <p>8 Objection. 11:22:23</p> <p>9 THE WITNESS: I don't know if specifically that 11:22:23</p> <p>10 shooting, you know -- I mean, I don't have knowledge 11:22:27</p> <p>11 specifically of that shooting. I know he was chasing 11:22:31</p> <p>12 ink, him and his partner, Deputy Orrego, based on what I 11:22:34</p> <p>13 saw -- taking calls from inked members and, you know, 11:22:39</p> <p>14 getting on emergent radio frequency because they had a 11:22:47</p> <p>15 guy with a gun. And it was happening almost every week, 11:22:53</p> <p>16 twice a week, and that level of luck, if you want to 11:22:57</p> <p>17 call it, finding so many guns or that level of work 11:23:04</p> <p>18 showed me that yes, absolutely they were both chasing 11:23:10</p> <p>19 ink. 11:23:13</p> <p>20 Aldama is a great cop. He's, you know, a great 11:23:16</p> <p>21 guy. Unfortunately, I think he channeled that energy in 11:23:20</p> <p>22 the wrong path. That is my opinion. So to answer your 11:23:25</p> <p>23 question, yes, he was chasing ink. 11:23:30</p> <p>24 BY MR. SWEENEY: 11:23:31</p> <p>25 Q All right. And that was what you observed? 11:23:32</p> <p style="text-align: right;">Page 43</p>	<p>1 THE WITNESS: Yes. 11:24:58</p> <p>2 MR. IVIE: Speculation on the part of the witness. 11:24:59</p> <p>3 BY MR. SWEENEY: 11:25:02</p> <p>4 Q Is that a yes? 11:25:02</p> <p>5 A Yes. 11:25:02</p> <p>6 Q Okay. And do you recall when in -- in what 11:25:03</p> <p>7 year, what month and what year that you learned that 11:25:11</p> <p>8 Deputy Aldama had gotten ink? 11:25:16</p> <p>9 A I don't remember that they -- I'm sorry. 11:25:18</p> <p>10 Q Was it in 2017, your best estimate? 11:25:23</p> <p>11 MR. IVIE: Objection. 11:25:29</p> <p>12 THE WITNESS: I know it was after the shooting they 11:25:29</p> <p>13 were involved in. 11:25:31</p> <p>14 MR. IVIE: Excuse me, Mr. Gonzalez. I'm making an 11:25:32</p> <p>15 objection. Please wait before you answer the question 11:25:35</p> <p>16 and let me finish making my objection; okay? 11:25:38</p> <p>17 THE WITNESS: No problem, sir. 11:25:40</p> <p>18 MR. IVIE: Thank you. 11:25:42</p> <p>19 So objection; calling for speculation and 11:25:43</p> <p>20 conjecture on the part of the witness. 11:25:46</p> <p>21 BY MR. SWEENEY: 11:25:49</p> <p>22 Q You don't recall the year, but you recall that 11:25:49</p> <p>23 they got the ink after the shooting they were involved 11:25:53</p> <p>24 in? 11:25:55</p> <p>25 MR. IVIE: Objection; leading; suggestive. 11:25:56</p> <p style="text-align: right;">Page 45</p>

<p>1 in other words, is there a shot caller, is there 11:33:06</p> <p>2 associates or -- 11:33:10</p> <p>3 A Oh, somewhat, yes. 11:33:11</p> <p>4 Q Okay. And tell me about the hierarchy. Who's 11:33:14</p> <p>5 at the top? What's that person called or the terms? 11:33:21</p> <p>6 A Shot caller. 11:33:27</p> <p>7 Q And what does a shot caller do? 11:33:28</p> <p>8 A Well, I mean, he's in charge. He's, you know -- 11:33:32</p> <p>9 I mean, I haven't -- well, not any gang. I mean, he's 11:33:40</p> <p>10 the one that makes the decisions, you know, for the 11:33:44</p> <p>11 gang. 11:33:47</p> <p>12 Q Okay. And what's the next level in the 11:33:47</p> <p>13 hierarchy of a gang? 11:33:52</p> <p>14 A I mean -- 11:33:57</p> <p>15 Q If you know and if you understand. 11:33:59</p> <p>16 A I understand, you know, it's called master of 11:34:02</p> <p>17 arms, you know, the second in command, that type, I 11:34:07</p> <p>18 mean, as far as I know. 11:34:11</p> <p>19 Q I mean, are there rank and file members or just 11:34:15</p> <p>20 associates? 11:34:18</p> <p>21 MR. IVIE: Objection; leading; suggestive. 11:34:19</p> <p>22 THE WITNESS: Yes. 11:34:21</p> <p>23 BY MR. SWEENEY: 11:34:26</p> <p>24 Q Okay. Now, you patrolled the area of Compton 11:34:27</p> <p>25 and you know of the existence of gangs; correct? 11:34:37</p> <p style="text-align: right;">Page 50</p>	<p>1 knowledge at station is that Jaime Juarez is the shot 11:36:04</p> <p>2 caller for that group. 11:36:08</p> <p>3 Q Okay. Do you know how many gang members there 11:36:10</p> <p>4 are? 11:36:17</p> <p>5 A At Compton station -- 11:36:17</p> <p>6 MR. IVIE: Objection; no foundation. 11:36:20</p> <p>7 MR. SWEENEY: You can answer. 11:36:24</p> <p>8 THE WITNESS: For the station, at the station for 11:36:26</p> <p>9 this group, I would say approximately 15. 11:36:29</p> <p>10 BY MR. SWEENEY: 11:36:32</p> <p>11 Q And how do you know that? 11:36:36</p> <p>12 A Just based on, you know, the deputies that are 11:36:37</p> <p>13 from this group I see at the station at, you know -- you 11:36:44</p> <p>14 know, in the in-service or when they take time off and, 11:36:50</p> <p>15 you know, you start counting how many of them, you know, 11:36:55</p> <p>16 are members, and they all get the same day off which is 11:36:59</p> <p>17 very, very unusual and hard to do, you kind of put two 11:37:04</p> <p>18 and two together, and it's obvious to see how many 11:37:09</p> <p>19 approximately members of this group are at the 11:37:14</p> <p>20 station. 11:37:19</p> <p>21 Q I was going to talk about this later, but let's 11:37:19</p> <p>22 talk about it now since you mentioned it. 11:37:22</p> <p>23 Are Executioners gang members given preferential 11:37:25</p> <p>24 assignments? 11:37:29</p> <p>25 MR. IVIE: Objection; leading; suggestive; no 11:37:30</p> <p style="text-align: right;">Page 52</p>
<p>1 A Correct. 11:34:40</p> <p>2 Q And you already termed what you termed 11:34:43</p> <p>3 The Executioners as a gang and you told us why you 11:34:50</p> <p>4 termed them a gang. Do The Executioners have a shot 11:34:54</p> <p>5 caller? 11:35:00</p> <p>6 A Yes. 11:35:00</p> <p>7 MR. IVIE: Objection. Lacks foundation. 11:35:01</p> <p>8 BY MR. SWEENEY: 11:35:03</p> <p>9 Q Who is -- your answer was yes? 11:35:04</p> <p>10 A Yes. 11:35:07</p> <p>11 Q Who is the shot caller? 11:35:08</p> <p>12 MR. IVIE: Objection; lacks foundation. 11:35:11</p> <p>13 THE WITNESS: Jaime Juarez. 11:35:12</p> <p>14 BY MR. SWEENEY: 11:35:17</p> <p>15 Q Can you spell that, please? 11:35:17</p> <p>16 A J-a-i-m-e; Juarez, J-u-a-r-e-z. 11:35:18</p> <p>17 Q How do you know that he's the shot caller for 11:35:30</p> <p>18 The Executioners gang? 11:35:32</p> <p>19 A Common knowledge and then the way the members 11:35:33</p> <p>20 and prospects circle around him at the station, whether 11:35:38</p> <p>21 it's the parking lot or the gas pumps, you know, 11:35:43</p> <p>22 everybody shows -- when I say everybody, everybody in 11:35:47</p> <p>23 that group shows some level of respect to him. It's 11:35:51</p> <p>24 very -- it's very obvious that, you know, from what I 11:35:55</p> <p>25 had seen, that he is the shot caller, and the common 11:36:01</p> <p style="text-align: right;">Page 51</p>	<p>1 foundation. 11:37:32</p> <p>2 THE WITNESS: Assignments and scheduling 11:37:32</p> <p>3 preferences, yes. 11:37:39</p> <p>4 BY MR. SWEENEY: 11:37:40</p> <p>5 Q How do you know that? 11:37:40</p> <p>6 A Because I've seen it. 11:37:41</p> <p>7 Q Okay. So had you seen the persons that you know 11:37:43</p> <p>8 are Executioners being given this preferential 11:37:50</p> <p>9 treatment? 11:37:54</p> <p>10 A Yes. From time to time, you will see about 11:37:54</p> <p>11 eight members and another four or five prospects be able 11:37:58</p> <p>12 to take a Saturday on p.m.'s off which, in result, 11:38:02</p> <p>13 causes for day shift to be drafted because there's not 11:38:08</p> <p>14 enough bodies for p.m.'s to work. So we do see that 11:38:13</p> <p>15 because it affects the deputies who are working the day 11:38:17</p> <p>16 shift because if they start -- if they approve eight 11:38:20</p> <p>17 variances, eight, you know, deputies to be off that day 11:38:25</p> <p>18 and then somebody else calls in or two people call in 11:38:30</p> <p>19 sick, then they're going to draft from day shift, and 11:38:33</p> <p>20 day shift was always affected by that when these days 11:38:36</p> <p>21 were -- when, like, a Saturday on p.m.'s or Fridays on 11:38:40</p> <p>22 p.m.'s was authorized for them to take off. 11:38:43</p> <p>23 Q Okay. You talked about prospects. What are 11:38:46</p> <p>24 prospects? 11:38:55</p> <p>25 A Prospects are the ink chasers. We call them ink 11:38:55</p> <p style="text-align: right;">Page 53</p>

<p>1 chasers. He's chasing ink. That's what a prospect is. 11:39:01</p> <p>2 Q Are the prospects encouraged to commit crimes by 11:39:06</p> <p>3 beating up people or shooting people in order to get 11:39:14</p> <p>4 their ink? 11:39:17</p> <p>5 MR. IVIE: Objection; leading and suggestive. 11:39:18</p> <p>6 THE WITNESS: I don't know if they are encouraged to 11:39:20</p> <p>7 do so. What I know is that there is a motivation to get 11:39:24</p> <p>8 the job done or to get that gun or, you know, to take 11:39:30</p> <p>9 that person to jail, in my opinion, at whatever cost. 11:39:35</p> <p>10 BY MR. SWEENEY: 11:39:40</p> <p>11 Q Okay. We'll get to that in a second. How many 11:39:42</p> <p>12 prospects are there, let's say, in the year 2020? 11:39:45</p> <p>13 A Give me a second. It's hard to tell. I would 11:39:55</p> <p>14 have to see names of, you know, deputies at the station 11:40:12</p> <p>15 and, you know -- but the least that I can count off the 11:40:16</p> <p>16 top of my head, roughly about six. And that's just off 11:40:22</p> <p>17 the top of my head. 11:40:26</p> <p>18 Q Okay. And is that your best estimate of the 11:40:27</p> <p>19 number of prospects? 11:40:30</p> <p>20 A Right now, it is. 11:40:31</p> <p>21 Q Okay. Well, you say in your Exhibit 105, your 11:40:33</p> <p>22 claim, that there are 20 prospects at any -- at the time 11:40:41</p> <p>23 that you filed this claim; is that correct? 11:40:48</p> <p>24 A Give me a second. 11:40:50</p> <p>25 Q If you want to take a moment off the record -- 11:40:56</p> <p style="text-align: right;">Page 54</p>	<p>1 speculation and conjecture. 11:54:23</p> <p>2 THE WITNESS: Well, outside of displaying their 11:54:24</p> <p>3 tattoo, I mean, they keep it pretty -- pretty 11:54:29</p> <p>4 discreet. 11:54:35</p> <p>5 BY MR. SWEENEY: 11:54:35</p> <p>6 Q And when did you hear that this group existed 11:54:36</p> <p>7 within the Sheriff's -- the Compton station? 11:54:47</p> <p>8 A It was after the Aldama incident -- well, his 11:54:52</p> <p>9 deposition that occurred, I want to say, a couple of 11:54:59</p> <p>10 years ago. 11:55:03</p> <p>11 Q So in May of 2018? 11:55:03</p> <p>12 A I think around there, yes. 11:55:07</p> <p>13 Q Okay. Let's continue on. What I want to do is 11:55:09</p> <p>14 I want to finish Exhibit 106. 11:55:17</p> <p>15 MR. SWEENEY: Mr. Glickman, we had stopped with 11:55:25</p> <p>16 Deputy Bensor. 11:55:33</p> <p>17 MR. NISHIMURA: Mr. Sweeney, have you given further 11:55:33</p> <p>18 thought to my request to designate the transcript as 11:55:36</p> <p>19 confidential? 11:55:39</p> <p>20 MR. SWEENEY: I agreed with what Mr. Romero said, but 11:55:46</p> <p>21 let me think about it. Well, we're going to take a 11:55:49</p> <p>22 lunch break at some point so I'll think about it in 11:55:53</p> <p>23 depth, and I'll let you know. 11:55:58</p> <p>24 MR. IVIE: Since you mentioned it, Counsel, what time 11:56:00</p> <p>25 are you thinking about for a lunch break? 11:56:04</p> <p style="text-align: right;">Page 56</p>
<p>1 A Can I take a moment off the record? 11:40:58</p> <p>2 MR. SWEENEY: Sure. 11:41:00</p> <p>3 MR. IVIE: There's a question pending. 11:41:02</p> <p>4 MR. SWEENEY: Five-minute break. 11:41:04</p> <p>5 MR. NISHIMURA: There's a question pending. I'd like 11:41:07</p> <p>6 to the witness to answer the question. 11:41:09</p> <p>7 MR. IVIE: I join in that objection, Counsel. 11:41:11</p> <p>8 There's a question pending. It is inappropriate for a 11:41:12</p> <p>9 witness to adjourn the deposition at a time a question 11:41:14</p> <p>10 is pending. 11:41:17</p> <p>11 MR. SWEENEY: Thank you, Mr. Ivie. 11:41:17</p> <p>12 BY MR. SWEENEY: 11:41:17</p> <p>13 Q Can you answer the question? 11:41:19</p> <p>14 A If that's what's in my claim, then yes. 11:41:20</p> <p>15 MR. SWEENEY: Let's take a break. 11:41:25</p> <p>16 THE VIDEOGRAPHER: This marks the end of Media No. 3. 11:41:27</p> <p>17 The time is 11:41 a.m., and we are off the record. 11:41:30</p> <p>18 (Recess taken from 11:41 a.m. to 11:53 a.m.) 11:53:55</p> <p>19 THE VIDEOGRAPHER: Okay. This marks the beginning of 11:53:55</p> <p>20 Media Unit No. 4. The time is 11:53, and we are on the 11:53:59</p> <p>21 record. 11:54:02</p> <p>22 BY MR. SWEENEY: 11:54:02</p> <p>23 Q Deputy Gonzalez, have you known this gang to be 11:54:05</p> <p>24 a secretive group? 11:54:14</p> <p>25 MR. IVIE: Objection; vague; ambiguous; calls for 11:54:18</p> <p style="text-align: right;">Page 55</p>	<p>1 MR. SWEENEY: Well, let's ask the court reporter. 11:56:06</p> <p>2 THE COURT REPORTER: I'm agreeable to any time. 11:56:12</p> <p>3 MR. SWEENEY: Do you need one -- why don't we say go 11:56:17</p> <p>4 to 12:30, is that okay, and take a half hour break? 11:56:21</p> <p>5 MR. IVIE: That's what I was thinking about, Counsel. 11:56:26</p> <p>6 Can we make it 45 minutes? 11:56:29</p> <p>7 MR. SWEENEY: For lunch? Sure. 11:56:31</p> <p>8 MR. IVIE: Okay. We'll do it at 12:30 and come back 11:56:33</p> <p>9 at 1:15. 11:56:36</p> <p>10 MR. SWEENEY: You got it. 11:56:37</p> <p>11 MR. IVIE: All right. 11:56:38</p> <p>12 BY MR. SWEENEY: 11:56:39</p> <p>13 Q So we were talking about Deputy Bensor, and you 11:56:42</p> <p>14 said that he's a member of The Executioners; is that 11:56:48</p> <p>15 correct? 11:56:52</p> <p>16 A Yes. 11:56:52</p> <p>17 Q Moving down to Ruiz Aguilar, do you know his 11:56:54</p> <p>18 first name? 11:57:05</p> <p>19 A I think it's Daniel. 11:57:06</p> <p>20 Q And is he a member of the Executioners? 11:57:08</p> <p>21 A Yes. 11:57:13</p> <p>22 Q How do you know that? 11:57:13</p> <p>23 A Common knowledge. 11:57:14</p> <p>24 Q Have you seen his tattoo? 11:57:17</p> <p>25 A I believe I did. I saw a tattoo on his right 11:57:19</p> <p style="text-align: right;">Page 57</p>

1 MR. IVIE: Again, objection; leading and suggestive; 12:03:08	1 foundation. 12:06:39
2 no foundation. 12:03:13	2 BY MR. SWEENEY: 12:06:41
3 THE WITNESS: I'm sorry. You said something? 12:03:14	3 Q Your answer? 12:06:42
4 MR. IVIE: I said objection; no foundation; leading 12:03:15	4 A Yes, that is my opinion. 12:06:42
5 and suggestive. 12:03:17	5 Q Okay. Well, you know, I want you to give me 12:06:44
6 MR. SWEENEY: Okay. You can answer. 12:03:21	6 your answer based on the knowledge that you have and 12:06:53
7 THE WITNESS: For example, like, on tattoos? 12:03:22	7 learned through interacting with these gang members at 12:07:03
8 BY MR. SWEENEY: 12:03:24	8 the station. 12:07:07
9 Q On tattoos or in letters using numbers. 12:03:24	9 MR. IVIE: Objection; no foundation; calls for 12:07:08
10 A Yes, to identify themselves. 12:03:29	10 speculation and conjecture; it's leading and suggestive. 12:07:10
11 Q Okay. Have you ever seen anyone in a gang -- 12:03:33	11 MR. ROMERO: And I instruct the deponent, my client, 12:07:15
12 let's talk about a gang first -- in general, using 12:03:41	12 to answer to the extent he knows or understands. 12:07:18
13 numbers on a keypad of a telephone that corresponds with 12:03:47	13 Go ahead, if you know. 12:07:22
14 an initial, for example, let's say the 3 is number 8 on 12:03:56	14 THE WITNESS: A number on a tattoo, it could 12:07:22
15 a keypad; have you ever seen that? 12:04:06	15 indicate to me that this is the person's either the 12:07:25
16 MR. IVIE: Objection; leading; suggestive. 12:04:08	16 street where he does his activities or where he belongs 12:07:29
17 MR. SWEENEY: Hold on one second. Hold on one 12:04:12	17 or that he's the 38th person to acquire that tattoo. 12:07:32
18 second. 12:04:20	18 BY MR. SWEENEY: 12:07:40
19 BY MR. SWEENEY: 12:04:20	19 Q Okay. Can anybody who -- if you know, can 12:07:40
20 Q Sorry about that. Your answer was -- have you 12:04:54	20 anybody who just wants to get a tattoo, can they get 12:07:47
21 seen that coding used? 12:05:01	21 that Executioners tattoo without being invited in? 12:07:51
22 A Well, like you mentioned a keypad to a 12:05:04	22 MR. IVIE: Objection; lacks foundation. 12:07:56
23 telephone, you know, I know there is numbers and letters 12:05:10	23 THE WITNESS: No, not that I know, no. 12:07:59
24 associated with each number. If that's what you mean, I 12:05:13	24 BY MR. SWEENEY: 12:08:03
25 mean, yes. 12:05:16	25 Q You have to earn your ink, have you heard that 12:08:04
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1 Q Okay. Have you seen a number -- strike that. 12:05:16	1 before? 12:08:07
2 Did you know there is a number on the tattoo of 12:05:21	2 A Yes. 12:08:07
3 Deputy Aldama? 12:05:26	3 Q Can you get a tattoo, an Executioners tattoo, 12:08:08
4 MR. IVIE: Objection; leading; suggestive. 12:05:29	4 just by wanting to have sympathy for one of the members 12:08:19
5 THE WITNESS: I believe that there's a number 28. 12:05:31	5 or be close to one of the members? 12:08:24
6 BY MR. SWEENEY: 12:05:36	6 MR. IVIE: Objection; lacks foundation. 12:08:26
7 Q Okay. And that stands for the Sheriff's 28 12:05:36	7 THE WITNESS: That's not their practice. 12:08:30
8 substation; correct? 12:05:43	8 BY MR. SWEENEY: 12:08:32
9 A For the Sheriff's, 28 is the number given to our 12:05:44	9 Q Okay. All right. Let me move on. You write in 12:08:33
10 -- to Compton station. 12:05:49	10 your claim: "The Executioner operate at CP station with 12:08:41
11 Q Does the number 38 mean anything to you on the 12:05:51	11 impunity," which means without fear of getting in 12:08:48
12 keypad? 12:05:55	12 trouble basically. Is that true? 12:08:51
13 A Number 38, three, eight? 12:05:59	13 A Yes. 12:08:56
14 Q Yes. 12:06:02	14 MR. IVIE: Objection; lacks foundation. 12:08:57
15 A On a keypad, no. 12:06:04	15 BY MR. SWEENEY: 12:08:59
16 Q Okay. How about on a tattoo? 12:06:07	16 Q Why do you say that? 12:09:00
17 A 38 would indicate to me that that would be -- on 12:06:10	17 A Because of the number of incidents that I've 12:09:01
18 a tattoo, that that was the 38th person to have that 12:06:18	18 heard of at the station, and there's no -- there are no 12:09:05
19 tattoo. 12:06:22	19 consequences from the department or from supervisors. 12:09:10
20 Q So let me fine tune the question. Do you 12:06:23	20 Q Okay. Can you just name one example of that? 12:09:13
21 believe that the number 38 on a Executioners tattoo 12:06:26	21 A Well, like Jaime Juarez threatening the acting 12:09:18
22 would mean what you just said? 12:06:33	22 captain to begin a work slowdown if the scheduling 12:09:30
23 MR. IVIE: Objection; leading and suggestive -- 12:06:35	23 deputy wasn't removed and replaced by one of the 12:09:34
24 THE WITNESS: Yes. 12:06:35	24 Executioners members. You know, that occurred and 12:09:39
25 MR. IVIE: Excuse me. Leading and suggestive; no 12:06:37	25 nothing happened other than to transfer Deputy Juarez to 12:09:45
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1 another station for a couple of months, and then he 12:09:49	1 where there was a person who ran with a gun, and then 12:12:44
2 comes back, which in my time with the department, that 12:09:52	2 they -- oftentimes what they do is -- and we call it, 12:12:48
3 has never happened. Once you are transferred from the 12:09:56	3 the rest of the deputies, we call it, you know, a ghost 12:12:52
4 station because you did something wrong, you don't ever 12:09:59	4 gun or a ghost 417 because there was never a gun. 12:12:55
5 come back. 12:10:02	5 But in order to get all the deputies to come and 12:13:01
6 Q So would you say that the Executioners 12:10:03	6 contain, they'll put out, "Hey, I saw a person with a 12:13:05
7 influenced the policy at the station? 12:10:07	7 gun run from me in whatever direction," and they'll 12:13:09
8 MR. IVIE: Objection. 12:10:09	8 start coordinating because, you know, a lot of times 12:13:15
9 THE WITNESS: Absolutely. 12:10:11	9 they either have a hunch or they have information that 12:13:19
10 MR. IVIE: Objection; leading and suggestive; lacks 12:10:11	10 that person has a gun, but in reality they've never seen 12:13:24
11 foundation. 12:10:14	11 the gun. And then at the end when their containments 12:13:27
12 BY MR. SWEENEY: 12:10:15	12 are set up, you know, the gun is never recovered. You 12:13:31
13 Q Do the Executioners influence the actions of the 12:10:15	13 know, they'll call it a day and say, "Thank you for 12:13:34
14 captain of the station? 12:10:25	14 rolling. We're going to call it," and a gun was never 12:13:37
15 MR. IVIE: Objection; leading and suggestive; no 12:10:27	15 recovered. And there have been instances -- 12:13:39
16 foundation to this witness's knowledge. 12:10:30	16 Q Can I stop you there? Is that a common practice 12:13:42
17 THE WITNESS: Yes. 12:10:34	17 of the Executioners to call in a ghost gun? 12:13:47
18 BY MR. SWEENEY: 12:10:35	18 MR. IVIE: Objection; lacks foundation; calls for 12:13:50
19 Q Okay. You go on to say: "Its members, the 12:10:35	19 speculation and conjecture on the part of the witness. 12:13:53
20 Executioner members using violence against other 12:10:43	20 MR. SWEENEY: You can answer. 12:13:55
21 deputies and members of the public in order to increase 12:10:47	21 THE WITNESS: Yes. 12:13:57
22 their standing within the criminal organization." Tell 12:10:51	22 MR. SWEENEY: Thank you. 12:13:59
23 us what you mean by that. 12:10:55	23 MR. IVIE: Leading and suggestive. 12:14:00
24 A Can you read that again? I'm sorry. 12:10:58	24 BY MR. SWEENEY: 12:14:02
25 Q Sure. "The Executioners operate at CPT with 12:11:00	25 Q And so reports have to be generated when they 12:14:06
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1 impunity." We talked about that. "Its members using 12:11:05	1 arrest someone for this, as you call it, ghost gun 12:14:12
2 violence against other deputies and members of the 12:11:09	2 report; correct? 12:14:19
3 public in order to increase their standing within the 12:11:11	3 A Depending. If there is a suspect arrested, then 12:14:20
4 criminal organization." What is meant by that? 12:11:15	4 yes. If there's force involved, then yes. 12:14:27
5 A Oftentimes -- and we talked about the incident 12:11:24	5 Q Have you seen or heard where the Executioners 12:14:29
6 with or the assault with Deputy Thomas Banuelos, that 12:11:26	6 will falsify a police report about a ghost gun? 12:14:37
7 oftentimes when it involves force or, you know, trying 12:11:33	7 MR. IVIE: Objection; the question is compound; also 12:14:42
8 to get a gun, a lot of times without -- and, again, this 12:11:40	8 leading and suggestive; and no foundation. 12:14:44
9 is common knowledge where they'll say they see a person 12:11:46	9 MR. SWEENEY: You can answer. 12:14:47
10 running with a gun, but then there's never a gun 12:11:50	10 THE WITNESS: I haven't seen one personally. 12:14:49
11 recovered, but then, you know, there's also -- in order 12:11:53	11 BY MR. SWEENEY: 12:14:51
12 to apprehend that suspect, there's force involved. 12:11:56	12 Q Okay. But how do you know that they do that? 12:14:51
13 Q Stop right there. Can you stop right there? 12:12:02	13 A Because I've been to calls or containments where 12:14:57
14 I'm going to ask you a question about that. 12:12:05	14 a gun was never recovered or the suspect was never 12:15:02
15 So you've seen members of The Executioners gang 12:12:07	15 apprehended, but they'll put out over radio emergent 12:15:06
16 falsely state that someone is running with a gun; you've 12:12:13	16 radio traffic saying that there is a person with a gun 12:15:11
17 seen that? 12:12:16	17 running from them. 12:15:14
18 MR. IVIE: Objection; no foundation so the question 12:12:17	18 Q Is that -- have you found that to be just a 12:15:15
19 is leading and suggestive. 12:12:20	19 pretext to stop them or arrest them? 12:15:18
20 MR. SWEENEY: You can answer. 12:12:21	20 MR. IVIE: Objection; leading; suggestive; calls for 12:15:21
21 THE WITNESS: Yes. 12:12:25	21 speculation and conjecture; no foundation. 12:15:25
22 BY MR. SWEENEY: 12:12:27	22 THE WITNESS: Personally, I've never done that. I 12:15:27
23 Q Tell me when you've seen that. 12:12:27	23 was always trained by both my training officers: If you 12:15:31
24 A There was an incident with Deputy Benzor. I 12:12:29	24 see it, put it out. If you don't see it, why are you 12:15:35
25 believe Deputy Cuevas was there and Deputy Navarette 12:12:39	25 going to hurt your partners when they come out here? 12:15:39
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1 BY MR. SWEENEY: 12:15:42	1 Q I don't want you to speculate, but based on your 12:18:11
2 Q Have you seen any Executioner use this ghost gun 12:15:42	2 observations, what is your belief as to why they don't 12:18:13
3 417 tactic? 12:15:47	3 allow African-Americans? 12:18:16
4 A Yes. 12:15:49	4 MR. IVIE: Objection; calls for speculation and 12:18:19
5 MR. IVIE: Objection; leading and suggestive; and no 12:15:49	5 conjecture on the part of the witness; no foundation for 12:18:22
6 foundation. 12:15:52	6 this witness's testimony. 12:18:25
7 BY MR. SWEENEY: 12:15:52	7 MR. SWEENEY: You can answer. 12:18:28
8 Q The answer is yes? 12:15:53	8 THE WITNESS: I don't know other than to appear 12:18:29
9 A Yes. 12:15:54	9 tougher. I wouldn't know. 12:18:32
10 Q And you've seen them, after they've put that 12:15:54	10 BY MR. SWEENEY: 12:18:34
11 ghost 417 call out there, falsify in a police report 12:16:00	11 Q Do you believe this is a racist gang? 12:18:34
12 that they saw a gun? 12:16:07	12 MR. IVIE: Objection; leading; suggestive; no 12:18:39
13 MR. IVIE: Objection; leading; suggestive; no 12:16:08	13 foundation. 12:18:41
14 foundation. 12:16:10	14 THE WITNESS: I don't. 12:18:42
15 THE WITNESS: I haven't seen a report personally. 12:16:10	15 BY MR. SWEENEY: 12:18:43
16 BY MR. SWEENEY: 12:16:13	16 Q Okay. But you just know there's no 12:18:44
17 Q But you know it's done; is that correct? 12:16:14	17 African-American or female members; correct? 12:18:45
18 MR. IVIE: Objection. 12:16:17	18 A Correct. 12:18:48
19 THE WITNESS: I don't know about a report -- 12:16:18	19 Q All right. Let's move on. You say that 12:18:49
20 MR. IVIE: Objection; no foundation. 12:16:20	20 "The Executioners recruit members at Compton based upon 12:19:03
21 THE WITNESS: I don't know if it's reflected on a 12:16:21	21 a prospect's use of violence against a suspect or other 12:19:08
22 report. From personal experience and from what I've 12:16:24	22 deputies." Is that true? 12:19:12
23 heard and when we respond to those containments, it's 12:16:27	23 MR. IVIE: Objection; calls for a conclusion on the 12:19:15
24 that they'll put out the 417 that a person with a gun is 12:16:32	24 part of this witness; lacks foundation. 12:19:19
25 running from them through emergent traffic, and at the 12:16:36	25 THE WITNESS: Can you repeat that question and can 12:19:22
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1 end of everything, no gun is recovered. 12:16:40	1 you repeat its source? 12:19:25
2 BY MR. SWEENEY: 12:16:43	2 BY MR. SWEENEY: 12:19:27
3 Q Does that happen quite often with 12:16:45	3 Q Yes. The source is your claim that you filed, 12:19:27
4 The Executioners? 12:16:47	4 and you said that "The Executioners recruit members at 12:19:32
5 MR. IVIE: Objection; leading; suggestive; and no 12:16:48	5 Compton station based upon the prospect's use of 12:19:36
6 foundation. 12:16:50	6 violence against suspects and other deputies." Is that 12:19:41
7 BY MR. SWEENEY: 12:16:51	7 true? 12:19:49
8 Q What was your answer, sir? 12:16:51	8 MR. IVIE: Again, lacks foundation; calls for a 12:19:50
9 A Yes. 12:16:53	9 conclusion on the part of this witness. 12:19:53
10 Q You mentioned -- I wanted to get to this later 12:16:53	10 THE WITNESS: Yes. 12:19:55
11 -- that there are no -- that African-Americans and 12:17:07	11 BY MR. SWEENEY: 12:19:56
12 females are not allowed in The Executioners. Is that 12:17:14	12 Q Okay. You say that "nearly all of the Compton 12:20:02
13 what your -- what you state in your claim? 12:17:19	13 deputies who have been involved in high profile 12:20:06
14 A Yes, yes. 12:17:21	14 shootings and out-of-policy beatings at Compton in 12:20:09
15 Q Why is this? 12:17:22	15 recent years have been inked members of 12:20:14
16 A Oh, I don't know. I don't know why they 12:17:26	16 The Executioners." Is that true? 12:20:17
17 wouldn't -- why they don't ink Blacks or females. We've 12:17:31	17 MR. IVIE: Objection -- excuse me, Mr. Gonzalez. I'm 12:20:20
18 always -- and I say "we", you know, deputies who are not 12:17:39	18 trying to make an objection. 12:20:25
19 inked, we've always wondered, you know, why not? You 12:17:43	19 Objection; lacks foundation; leading and 12:20:27
20 know, if it's about work, hard work and, you know, doing 12:17:47	20 suggestive; and also calls for a conclusion on the part 12:20:32
21 their job well, there's a lot of Black deputies who are 12:17:52	21 of this witness. 12:20:35
22 outstanding deputies. There are a lot of female 12:17:57	22 MR. SWEENEY: You can answer. 12:20:36
23 deputies who, you know, can outshine a lot of male 12:17:59	23 THE WITNESS: I'm sorry. Can you repeat the 12:20:39
24 deputies, so I don't know why. I mean, I can leave that 12:18:05	24 question? 12:20:40
25 up to -- 12:18:10	25 /// 12:20:40
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<p>1 BY MR. SWEENEY: 12:20:41</p> <p>2 Q Sure. "Nearly all Compton deputies who have 12:20:41</p> <p>3 been involved in high profile shootings and 12:20:46</p> <p>4 out-of-policy beatings at Compton station in recent 12:20:50</p> <p>5 years have been inked members of The Executioners." Is 12:20:54</p> <p>6 that true? 12:20:57</p> <p>7 A A vast majority and/or prospects. 12:20:57</p> <p>8 Q How do you know that? 12:21:02</p> <p>9 A It's -- well, number one, common knowledge, and 12:21:04</p> <p>10 it's, you know, what we've -- what we've seen at the 12:21:10</p> <p>11 station. You know, after deputies get into either force 12:21:15</p> <p>12 or a number of forces, you know, force incidents 12:21:21</p> <p>13 combined, you know, soon after they get inked. 12:21:25</p> <p>14 Q Okay. So you say high profile shootings. How 12:21:29</p> <p>15 about the shooting of -- do you know of the shooting of 12:21:34</p> <p>16 Robert Thomas, Jr.? 12:21:42</p> <p>17 A I don't remember that shooting. 12:21:46</p> <p>18 Q Do you know a deputy by the name of 12:21:48</p> <p>19 Victor Lemos? 12:21:58</p> <p>20 A No. 12:21:58</p> <p>21 Q Okay. How about this latest shooting of 12:21:59</p> <p>22 Andres Guardado, was that done by an inked member or a 12:22:06</p> <p>23 prospect of The Executioners? 12:22:09</p> <p>24 A A prospect. 12:22:11</p> <p>25 Q And who was that prospect; do you know? 12:22:13</p> <p style="text-align: right;">Page 74</p>	<p>1 hear about it from someone other than your lawyer? 12:23:56</p> <p>2 A I had heard about it maybe about six months ago 12:23:58</p> <p>3 maybe and then -- but I didn't know anything about the 12:24:04</p> <p>4 case, and then my attorney gave me, you know -- 12:24:08</p> <p>5 Q Okay. All right. Let's move on. What other 12:24:13</p> <p>6 high profile shootings that you can think of off the top 12:24:25</p> <p>7 of your head have The Executioners been involved in 12:24:28</p> <p>8 recently? 12:24:33</p> <p>9 MR. IVIE: Objection; lacks foundation. 12:24:37</p> <p>10 THE WITNESS: Well, we have the Aldama and Orrego one 12:24:39</p> <p>11 with Taylor. There was -- Contreras was involved in 12:24:50</p> <p>12 one, and I can't remember who his partner was or exactly 12:25:03</p> <p>13 when that happened. And then there was -- it was 12:25:09</p> <p>14 Deputy -- 12:25:38</p> <p>15 BY MR. SWEENEY: 12:25:39</p> <p>16 Q That's okay. 12:25:39</p> <p>17 A I can't remember, yeah. 12:25:40</p> <p>18 Q That's okay. Let's move on. And we'll have to 12:25:41</p> <p>19 take a break in about five minutes. I think we're all 12:25:45</p> <p>20 getting tired here. 12:25:49</p> <p>21 Okay. You say in here in your claim: "Deputies 12:26:25</p> <p>22 involved in fatal shootings at Compton had immediately 12:26:29</p> <p>23 been inked with the organization having inking parties 12:26:32</p> <p>24 to celebrate Executioner-member-involved shootings as 12:26:37</p> <p>25 well as the" -- 12:26:43</p> <p style="text-align: right;">Page 76</p>
<p>1 MR. IVIE: Lacks foundation; speculation and 12:22:16</p> <p>2 conjecture on the part of the witness. 12:22:20</p> <p>3 THE WITNESS: Deputy Vega and Deputy Hernandez. 12:22:22</p> <p>4 BY MR. SWEENEY: 12:22:27</p> <p>5 Q Are you familiar with the case where 12:22:30</p> <p>6 Sheldon Lockett was accused of a 417, and he was chased 12:22:38</p> <p>7 and beaten; are you familiar with that case? 12:22:42</p> <p>8 A A little bit. I know it was a little while 12:22:47</p> <p>9 ago. 12:22:49</p> <p>10 Q Tell me what you know about that case. Strike 12:22:49</p> <p>11 that. Strike that. Hold on. Strike that. 12:22:59</p> <p>12 There was a 417 call, but no gun was found. Had 12:23:02</p> <p>13 you heard that that was one of those ghost 417 calls? 12:23:07</p> <p>14 MR. IVIE: Objection; leading; suggestive; no 12:23:11</p> <p>15 foundation for the witness's testimony. 12:23:14</p> <p>16 THE WITNESS: I didn't know about that force incident 12:23:16</p> <p>17 or about that incident itself until recently. You have 12:23:20</p> <p>18 to remember, we get so many incidents with force and, 12:23:24</p> <p>19 you know, involving suspects with guns that, you know, a 12:23:31</p> <p>20 lot of times it's hard to keep up. So I heard about the 12:23:36</p> <p>21 Lockett case, you know, not too long ago. 12:23:40</p> <p>22 BY MR. SWEENEY: 12:23:43</p> <p>23 Q Okay. Who did you hear about it from? Anybody 12:23:43</p> <p>24 but your lawyer. I don't want to know about 12:23:51</p> <p>25 communication s between you and your lawyer. Did you 12:23:53</p> <p style="text-align: right;">Page 75</p>	<p>1 THE COURT REPORTER: I'm sorry. Can you repeat that? 12:26:48</p> <p>2 BY MR. SWEENEY: 12:26:50</p> <p>3 Q Yeah. "Deputies involved." 12:26:50</p> <p>4 MR. IVIE: Counsel, can you cite the quote and the 12:26:59</p> <p>5 approximate location of the testimony that you're 12:27:05</p> <p>6 reading from? 12:27:07</p> <p>7 MR. GLICKMAN: I'll put it up on the screen here. 12:27:11</p> <p>8 MR. IVIE: Mr. Glickman, which page is that? 12:27:21</p> <p>9 MR. SWEENEY: Page 1 of 10, last paragraph. How's 12:27:26</p> <p>10 that? 12:27:26</p> <p>11 The dog was alerting. Sorry. 12:27:57</p> <p>12 BY MR. SWEENEY: 12:28:04</p> <p>13 Q Do you see this where I'm reading, 12:28:05</p> <p>14 Deputy Gonzalez? 12:28:10</p> <p>15 A Yes. 12:28:12</p> <p>16 Q "Deputies involved in fatal shootings at Compton 12:28:12</p> <p>17 have immediately been inked." Is that true? 12:28:16</p> <p>18 MR. IVIE: Objection; it's leading; suggestive; calls 12:28:20</p> <p>19 for a conclusion on the part of this witness and no 12:28:23</p> <p>20 foundation for this witness's testimony. 12:28:25</p> <p>21 BY MR. SWEENEY: 12:28:28</p> <p>22 Q Is that true, sir? 12:28:28</p> <p>23 A Yes. 12:28:28</p> <p>24 Q Would the organization have inking parties? We 12:28:29</p> <p>25 talked about that. That's true; correct? 12:28:36</p> <p style="text-align: right;">Page 77</p>